

HOUSE BILL 2873
By Shepard

AN ACT to amend Tennessee Code Annotated, Title 49 and Title 68, relative to obligations of certain medical students to practice in Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

49-7-129.

(a)

(1) As a condition of matriculation, any student attending a medical school at a public institution of higher learning shall agree to practice in Tennessee on the completion of medical training, including a medical residency, as provided in this section. In exchange for attending a publicly subsidized medical school in this state, the student shall enter into a written agreement with the medical school in which the student agrees both to practice medicine in this state for a period of at least five (5) years and to agree to participate in the TennCare program, or its successor programs.

(2) If the student fails to comply with the agreement the student agrees to repay the full value of the public subsidy of the student's medical education in Tennessee less any costs actually paid by the student in tuition and fees. If a student fulfills part of the five-year service agreement, then the public subsidy costs to be repaid by the student shall be prorated and reduced to reflect the time actually spent by the student in practice in this state. The student shall make any repayment to the public medical school.

(3) On completion of medical education undertaken in this state, the student shall register annually with the public medical school in order to enable

the school to monitor additional medical education and compliance with the agreement entered into pursuant to this section. The medical school shall be responsible for reporting failure to comply with the agreement to the attorney general and reporter.

(4) The attorney general and reporter shall be responsible for undertaking all appropriate and lawful enforcement actions to collect the value of the public subsidy.

(5) The medical school shall report failure to comply with the agreement to the board of medical examiners and to the extent permitted under law to any other entity inquiring as to the student's record at the medical school.

(b) The comptroller of the treasury shall determine on an annual basis the value of the public subsidy for medical education at a public institution of higher learning.

(c) The Tennessee higher education commission is authorized to promulgate rules and regulations to effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it.